

EXHIBIT 3

Appendix IV.F: Damages Due to Distributor Misconduct

In Tables IV.12 and IV.13, I calculate the damages to selected divisions of Cuyahoga and Summit counties due to defendants' misconduct. Prof. Cutler also presents an example calculation of the share of opioid-related harms to these divisions attributable to distributors' misconduct.¹ These tables are reproduced below.

Table F.1
Cuyahoga County - Share of Harms Due to Distributors' Misconduct

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Approach 1													
ADAMHS Board	0.9%	1.1%	1.4%	1.4%	1.5%	1.6%	1.8%	3.5%	4.0%	5.4%	7.8%	8.9%	8.9%
DCFS	1.3%	1.6%	1.9%	2.3%	2.6%	2.8%	3.3%	4.5%	5.6%	6.7%	9.5%	10.0%	10.0%
Office of Prosecutor	1.5%	1.6%	2.3%	2.8%	3.4%	3.7%	4.4%	5.1%	5.2%	5.3%	5.8%	7.0%	7.0%
Office of Public Defender	1.5%	1.6%	2.3%	2.8%	3.4%	3.7%	4.4%	5.1%	5.2%	5.3%	5.8%	7.0%	7.0%
Court of Common Pleas	1.6%	1.7%	2.3%	2.8%	3.5%	3.8%	4.6%	5.5%	5.8%	5.9%	6.4%	7.8%	7.8%
Juvenile Court	0.5%	0.5%	0.7%	0.8%	0.8%	0.9%	1.0%	1.4%	1.9%	1.9%	2.8%	2.8%	2.8%
Sheriff's Office	1.5%	1.6%	2.3%	2.8%	3.4%	3.7%	4.4%	5.1%	5.2%	5.3%	5.8%	7.0%	7.0%
County Jail	1.5%	1.6%	2.3%	2.8%	3.4%	3.7%	4.4%	5.1%	5.2%	5.3%	5.8%	7.0%	7.0%
Office of Medical Examiner	2.5%	2.5%	3.8%	4.9%	6.0%	8.1%	9.7%	12.5%	13.6%	14.3%	24.2%	24.5%	24.5%
Approach 2													
ADAMHS Board	1.5%	2.0%	2.3%	2.1%	2.2%	2.2%	2.3%	4.0%	4.4%	5.5%	7.9%	9.1%	9.1%
DCFS	2.1%	2.7%	3.2%	3.4%	3.7%	4.0%	4.1%	5.1%	6.1%	6.9%	9.7%	10.2%	10.2%
Office of Prosecutor	2.6%	2.8%	3.8%	4.1%	4.8%	5.2%	5.6%	5.8%	5.7%	5.5%	5.9%	7.1%	7.1%
Office of Public Defender	2.6%	2.8%	3.8%	4.1%	4.8%	5.2%	5.6%	5.8%	5.7%	5.5%	5.9%	7.1%	7.1%
Court of Common Pleas	2.7%	2.8%	3.8%	4.2%	4.9%	5.4%	5.8%	6.3%	6.3%	6.1%	6.5%	7.9%	7.9%
Juvenile Court	0.8%	0.9%	1.2%	1.1%	1.2%	1.3%	1.3%	1.6%	2.0%	2.0%	2.8%	2.8%	2.8%
Sheriff's Office	2.6%	2.8%	3.8%	4.1%	4.8%	5.2%	5.6%	5.8%	5.7%	5.5%	5.9%	7.1%	7.1%
County Jail	2.6%	2.8%	3.8%	4.1%	4.8%	5.2%	5.6%	5.8%	5.7%	5.5%	5.9%	7.1%	7.1%
Office of Medical Examiner	4.3%	4.3%	6.3%	7.2%	8.6%	11.5%	12.2%	14.4%	14.8%	14.8%	24.6%	24.9%	24.9%

Source: Appendix III.J Table J.4

Table F.2
Summit County - Share of Harms Due to Distributors' Misconduct

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Approach 1													
ADM Board	0.5%	0.6%	0.7%	0.9%	2.1%	2.1%	3.7%	6.1%	7.0%	8.0%	9.8%	8.8%	8.8%
Children Services Board	1.2%	1.5%	2.0%	2.9%	7.7%	8.1%	10.5%	12.4%	13.4%	15.2%	19.4%	17.2%	17.2%
Prosecutor	1.5%	1.5%	2.1%	2.6%	2.8%	3.4%	4.3%	4.7%	5.6%	7.0%	7.6%	7.5%	7.5%
Court of Common Pleas	1.5%	1.5%	2.1%	2.6%	2.8%	3.4%	4.3%	4.7%	5.6%	7.0%	7.6%	7.5%	7.5%
Juvenile Court	0.7%	0.8%	1.1%	1.3%	1.6%	1.9%	2.4%	2.5%	2.9%	3.4%	4.3%	4.2%	4.2%
Sheriff's Office	1.5%	1.5%	2.1%	2.6%	2.8%	3.4%	4.3%	4.7%	5.6%	7.0%	7.6%	7.5%	7.5%
County Jail	1.5%	1.6%	2.2%	2.6%	3.1%	3.3%	3.9%	4.5%	5.1%	5.7%	6.0%	6.0%	6.0%
Alternative Corrections	1.5%	1.6%	2.2%	2.6%	3.1%	3.3%	3.9%	4.5%	5.1%	5.7%	6.0%	6.0%	6.0%
Adult Probation	1.5%	1.5%	2.1%	2.6%	2.8%	3.4%	4.3%	4.7%	5.6%	7.0%	7.6%	7.5%	7.5%
Medical Examiner	3.0%	3.1%	3.0%	4.4%	5.4%	4.8%	7.9%	7.8%	13.0%	16.4%	23.6%	20.4%	20.4%
Approach 2													
ADM Board	0.8%	1.0%	1.2%	1.4%	2.9%	3.0%	4.6%	7.0%	7.7%	8.3%	9.9%	8.9%	8.9%
Children Services Board	2.0%	2.6%	3.4%	4.3%	11.0%	11.5%	13.2%	14.3%	14.6%	15.8%	19.7%	17.5%	17.5%
Prosecutor	2.5%	2.5%	3.4%	3.9%	4.0%	4.9%	5.4%	5.4%	6.1%	7.2%	7.7%	7.7%	7.7%
Court of Common Pleas	2.5%	2.5%	3.4%	3.9%	4.0%	4.9%	5.4%	5.4%	6.1%	7.2%	7.7%	7.7%	7.7%
Juvenile Court	1.2%	1.4%	1.8%	1.9%	2.2%	2.7%	3.0%	2.9%	3.2%	3.5%	4.4%	4.2%	4.2%
Sheriff's Office	2.5%	2.5%	3.4%	3.9%	4.0%	4.9%	5.4%	5.4%	6.1%	7.2%	7.7%	7.7%	7.7%
County Jail	2.6%	2.7%	3.6%	3.8%	4.4%	4.7%	4.9%	5.2%	5.5%	5.9%	6.1%	6.1%	6.1%
Alternative Corrections	2.6%	2.7%	3.6%	3.8%	4.4%	4.7%	4.9%	5.2%	5.5%	5.9%	6.1%	6.1%	6.1%
Adult Probation	2.5%	2.5%	3.4%	3.9%	4.0%	4.9%	5.4%	5.4%	6.1%	7.2%	7.7%	7.7%	7.7%
Medical Examiner	5.2%	5.3%	5.0%	6.5%	7.7%	6.8%	10.0%	9.0%	14.1%	17.0%	24.0%	20.7%	20.7%

Source: Appendix III.J Table J.5

¹ See Cutler Report Appendix III.J, Tables J.4 and J.5.

To calculate damages due to distributors' misconduct, I apply the same methodology described in Section V using these estimates. Tables F.3 and F.4 below report estimated damages for these same divisions due to distributors' misconduct under Approach 1 and Approach 2.

Table F.3
Cuyahoga County - Damages Due to Distributors' Misconduct

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Approach 1														
ADAMHS Board	\$0.3	\$0.4	\$0.5	\$0.5	\$0.5	\$0.5	\$0.6	\$1.2	\$1.6	\$2.1	\$3.1	\$2.8	\$2.8	\$17.1
DCFS	\$1.6	\$2.1	\$2.5	\$2.8	\$2.9	\$3.1	\$3.5	\$4.6	\$5.8	\$7.0	\$9.8	\$10.8	\$11.5	\$68.0
Office of Prosecutor	\$0.2	\$0.3	\$0.4	\$0.5	\$0.6	\$0.7	\$0.8	\$1.0	\$1.1	\$1.2	\$1.3	\$1.7	\$1.7	\$11.5
Office of Public Defender	\$0.1	\$0.1	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.4	\$0.4	\$0.5	\$0.5	\$0.7	\$0.8	\$4.9
Court of Common Pleas	\$0.3	\$0.3	\$0.4	\$0.5	\$0.6	\$0.7	\$0.8	\$1.0	\$1.1	\$1.2	\$1.4	\$1.8	\$1.8	\$11.8
Juvenile Court	\$0.1	\$0.2	\$0.3	\$0.3	\$0.3	\$0.3	\$0.4	\$0.5	\$0.7	\$0.7	\$1.0	\$1.1	\$1.2	\$7.0
Sheriff's Office	\$0.3	\$0.3	\$0.4	\$0.4	\$0.6	\$0.7	\$0.9	\$1.0	\$1.1	\$1.2	\$1.2	\$1.5	\$1.6	\$11.2
County Jail	\$0.6	\$0.6	\$0.9	\$1.0	\$1.4	\$1.7	\$2.1	\$2.5	\$2.7	\$3.1	\$3.2	\$4.0	\$4.3	\$28.2
Office of Medical Examiner	\$0.1	\$0.1	\$0.2	\$0.3	\$0.3	\$0.4	\$0.5	\$0.7	\$0.7	\$0.9	\$1.5	\$1.6	\$1.7	\$9.0
Total	\$3.6	\$4.4	\$5.8	\$6.5	\$7.5	\$8.4	\$10.0	\$12.9	\$15.2	\$17.9	\$23.2	\$26.0	\$27.3	\$168.6
Approach 2														
ADAMHS Board	\$0.6	\$0.8	\$0.9	\$0.8	\$0.8	\$0.8	\$0.8	\$1.4	\$1.7	\$2.2	\$3.1	\$2.8	\$2.8	\$19.4
DCFS	\$2.7	\$3.5	\$4.2	\$4.1	\$4.1	\$4.5	\$4.5	\$5.3	\$6.3	\$7.2	\$10.0	\$11.0	\$11.6	\$79.0
Office of Prosecutor	\$0.4	\$0.5	\$0.7	\$0.7	\$0.9	\$0.9	\$1.1	\$1.1	\$1.2	\$1.3	\$1.4	\$1.7	\$1.7	\$13.5
Office of Public Defender	\$0.2	\$0.2	\$0.3	\$0.4	\$0.4	\$0.4	\$0.4	\$0.5	\$0.5	\$0.5	\$0.7	\$0.8	\$0.8	\$5.8
Court of Common Pleas	\$0.5	\$0.5	\$0.7	\$0.7	\$0.9	\$1.0	\$1.0	\$1.1	\$1.2	\$1.3	\$1.4	\$1.8	\$1.8	\$13.8
Juvenile Court	\$0.2	\$0.3	\$0.4	\$0.4	\$0.4	\$0.5	\$0.4	\$0.5	\$0.7	\$0.8	\$1.0	\$1.1	\$1.2	\$8.0
Sheriff's Office	\$0.4	\$0.5	\$0.7	\$0.7	\$0.9	\$1.0	\$1.1	\$1.2	\$1.2	\$1.3	\$1.6	\$1.7	\$1.7	\$13.2
County Jail	\$1.0	\$1.1	\$1.5	\$1.5	\$2.0	\$2.4	\$2.6	\$2.9	\$3.0	\$3.2	\$3.3	\$4.1	\$4.3	\$32.9
Office of Medical Examiner	\$0.2	\$0.2	\$0.3	\$0.4	\$0.4	\$0.6	\$0.6	\$0.8	\$0.8	\$0.9	\$1.5	\$1.6	\$1.8	\$10.1
Total	\$6.2	\$7.4	\$9.7	\$9.6	\$10.7	\$11.9	\$12.5	\$14.8	\$16.6	\$18.5	\$23.5	\$26.4	\$27.8	\$195.7

Source: Appendix IV.C

Table F.4
Summit County - Damages Due to Distributors' Misconduct

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Approach 1														
ADM Board	\$0.1	\$0.1	\$0.1	\$0.4	\$0.8	\$0.8	\$1.2	\$2.0	\$2.4	\$2.7	\$3.2	\$2.9	\$2.8	\$19.6
Children Services Board	\$0.5	\$0.6	\$0.9	\$1.2	\$3.3	\$3.2	\$3.7	\$4.6	\$5.0	\$6.0	\$7.9	\$6.8	\$7.4	\$51.0
Prosecutor	\$0.0	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.1	\$0.2	\$0.2	\$0.2	\$1.3
Court of Common Pleas	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.4	\$0.4	\$2.6
Juvenile Court	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$2.2
Sheriff's Office	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.4	\$0.5	\$0.5	\$0.5	\$3.9
County Jail	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.3	\$0.4	\$0.5	\$0.6	\$0.7	\$0.7	\$0.7	\$0.7	\$6.0
Alternative Corrections	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$0.4	\$0.4	\$0.4	\$2.9
Adult Probation	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.9
Medical Examiner	\$0.0	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.4	\$0.4	\$0.4	\$2.0
Total	\$1.1	\$1.3	\$1.8	\$2.6	\$5.2	\$5.2	\$6.4	\$8.4	\$9.7	\$11.1	\$14.0	\$12.6	\$13.2	\$92.5
Approach 2														
ADM Board	\$0.1	\$0.2	\$0.2	\$0.6	\$1.2	\$1.1	\$1.6	\$2.3	\$2.7	\$2.8	\$3.3	\$2.9	\$2.9	\$21.8
Children Services Board	\$0.8	\$1.0	\$1.4	\$1.7	\$4.7	\$4.5	\$4.7	\$5.3	\$5.5	\$6.2	\$8.0	\$6.9	\$7.6	\$58.3
Prosecutor	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.1	\$0.2	\$0.2	\$0.2	\$1.6
Court of Common Pleas	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.4	\$0.3	\$0.3	\$0.4	\$0.4	\$3.0
Juvenile Court	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$2.5
Sheriff's Office	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.4	\$0.4	\$0.4	\$0.4	\$0.5	\$0.5	\$0.5	\$0.5	\$4.7
County Jail	\$0.3	\$0.3	\$0.4	\$0.5	\$0.5	\$0.5	\$0.5	\$0.6	\$0.7	\$0.7	\$0.8	\$0.7	\$0.8	\$7.2
Alternative Corrections	\$0.1	\$0.1	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$0.4	\$0.4	\$0.4	\$3.5
Adult Probation	\$0.0	\$0.0	\$0.0	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$1.1
Medical Examiner	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.2	\$0.2	\$0.4	\$0.4	\$0.4	\$2.2
Total	\$1.9	\$2.2	\$3.0	\$3.8	\$7.4	\$7.4	\$8.1	\$9.7	\$10.5	\$11.5	\$14.2	\$12.8	\$13.4	\$105.8

Source: Appendix IV.D

Total damages are reported in Table F.5 below.

Table F.5
Total Damages Due to Distributors' Misconduct

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Approach 1														
Cuyahoga	\$3.6	\$4.4	\$5.8	\$6.5	\$7.5	\$8.4	\$10.0	\$12.9	\$15.2	\$17.9	\$23.2	\$26.0	\$27.3	\$168.6
Summit	\$1.1	\$1.3	\$1.8	\$2.6	\$5.2	\$5.2	\$6.4	\$8.4	\$9.7	\$11.1	\$14.0	\$12.6	\$13.2	\$92.5
Total	\$4.7	\$5.7	\$7.6	\$9.1	\$12.7	\$13.6	\$16.4	\$21.3	\$24.8	\$29.0	\$37.1	\$38.6	\$40.6	\$261.1
Approach 2														
Cuyahoga	\$6.2	\$7.4	\$9.7	\$9.6	\$10.7	\$11.9	\$12.5	\$14.8	\$16.6	\$18.5	\$23.5	\$26.4	\$27.8	\$195.7
Summit	\$1.9	\$2.2	\$3.0	\$3.8	\$7.4	\$7.4	\$8.1	\$9.7	\$10.5	\$11.5	\$14.2	\$12.8	\$13.4	\$105.8
Total	\$8.1	\$9.6	\$12.7	\$13.4	\$18.1	\$19.3	\$20.6	\$24.4	\$27.1	\$30.0	\$37.7	\$39.2	\$41.2	\$301.5

Source: Tables F.3 and F.4